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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HUNG DUONG NGUON,

Plaintiff,

No. CIV S-10-1104 MCE EFB (TEMP) P

vs.

TIM V. VIRGA, et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

_____/

By an order filed December 7, 2010 plaintiff was ordered to file a completed application to proceed in forma pauperis within thirty days. The thirty day period has now expired, and plaintiff has not responded to the court’s order. Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.


These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days after being served with these findings and recommendations, any plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is

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1 advised that failure to file objections within the specified time may waive the right to appeal the
2 District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 DATED: January 18, 2011.

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5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE
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